

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

CHRISTOPHER PEARSON,

Plaintiff,

v.

INGRAM BARGE COMPANY,

Defendant.

Case No. 08-cv-897-JPG

MEMORANDUM AND ORDER

This matter comes before the Court on Plaintiff Christopher Pearson's Motion for Transfer of Venue (Doc. 10). Plaintiff contends that this action, brought pursuant to the Jones Act, should be transferred to the Western District of Kentucky for the convenience of the parties and witnesses.

28 U.S.C. § 1404(a) states, "For the convenience of parties and witnesses, in the interest of justice, a district court may transfer any civil action to any other district or division where it might have been brought." Accordingly, the Court must find: 1) that the action is more conveniently prosecuted in the transfer district or division and 2) that the action might have been brought in the transfer district or division.

Here, there is no indication in the record that this action might have been brought in the Western District of Kentucky. Accordingly, the Court is unable to determine whether transfer to that district is proper. As such, the Motion must be, and is, **DENIED**.

IT IS SO ORDERED.

DATED: February 6, 2009

s/ J. Phil Gilbert
J. PHIL GILBERT
DISTRICT JUDGE